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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/868,477	06/18/2001	Takeshi Natsuno	9683/88	1827

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EXAMINER
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POINVIL, FRANTZY

ART UNIT	PAPER NUMBER
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3628

DATE MAILED: 02/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/868,477

Applicant(s)

NATSUNO, TAKESHI

Examiner

Frantzy Poinvil

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 18 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>10/14/04 12/29/03</u> | 6) <input checked="" type="checkbox"/> Other: <u>See Continuation Sheet</u>             |

Continuation of Attachment(s) 6). Other: IDS of 12/8/03; 6/17/02; 6/18/01.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 6, 8 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Asikainen (US Patent No. 6,816,724) and Laursen et al (US Patent No. 6,065,120).

As per claims 1 and 15, Asikainen discloses an apparatus and associated method for remotely effecting an electronic commerce using a wireless device being connected to a remote financial institution. Asikainen discloses performing various banking functions which include stock exchange, credit card payment inquiries, investment services, monitoring of loans and interest rates. See column 5, lines 55-59 and column 6, lines 49-59 of Asikainen.

Asikainen discloses prompting a user to enter information required for a contract such as a banking transaction and transmitting information required for the contract entered by the user to a server of an institution such as a bank which provides a service by contract. See column 4, lines 4-8, column 5, lines 55-58 and column 7, lines 25-34 of Asikainen. Asikainen displays the information on a television screen. Thus, the interaction is not directly conducted via a prompt on the mobile communication terminal.

Laursen et al disclose a mobile or portable wireless phone having web-browser capability for remotely effectuating a financial transaction with a server while being connected in the Internet using CDPD, CDMA GSM or TDMA network infrastructure for facilitating communication therein. See column 5, line 58 to column 6, line 63 of Laursen et al.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Laursen et al into that of Asikainen in order to enable a financial transaction to be mediated or to directly perform on a mobile communication terminal itself. The motivation would have been to enable electronic commerce on the portable terminal whereby a user may do so at any place in their privacy.

As per claim 6, Asikainen and Laursen et al disclose a step of conducting user authentication of the user of the mobile communication terminal. See column 3, lines 55-67 and column 5, lines 12-27 of Asikainen and columns 7-8 of Laursen et al.

As per claim 8, the mobile communication terminal of Laursen et al and Asikainen is a mobile telephone.

2. Claims 2-5, 7, 9-14 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Asikainen (US Patent No. 6,816,724) and Laursen et al (US Patent No. 6,065,120) as applied to claim 1 above in view of Zandi (US Patent No. 5,999,699).

As per claims 2 and 16, the teachings of Laursen et al and Asikainen are discussed above. The combined teachings do not explicitly recite the steps of

transmitting information on approval or denial..., when the contract is approved, transmitting information required for electronic-commerce... and the mobile communication terminal...storing the information in a memory. Both Laursen et al and Asikainen disclose communicating back and forth between the portable communication terminal and a remote server.

Zandi discloses a system and method for presenting a loan application to a user located in a remote location when in communication with a server. In so doing, Zandi discloses all the claimed transmitting..., when a contract is approved, transmitting information required for electronic-commerce transactions prescribed in the contract...and a remote user computer...storing the information in a memory. Applicant is directed to column 4, line 50 to column 5, line 23 and column 9, lines 19-31 of Zandi.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the teachings of Zandi into the combination of Laursen et al and Asikainen whenever a banking function such as a loan is being requested by a user of the mobile communication terminal. The motivation would have been to facilitate both lenders and borrowers to effect loan banking functions at any time and from any location.

As per claim 3, both Asikainen and Zandi teach prompting a user to enter necessary information of a particular banking transaction, but not on the display screen of the mobile communication terminal. Data entry and data display are made on the display screen of the portable terminal of Laursen et al. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the

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teachings of Asikainen, Laursen et al and Zandi in order to display information on the screen of the mobile communication terminal in order to facilitate viewing and interaction with the banking system at any private location the user desires.

As per claims 4-5, in the system of Asikainen and Zandi, the entry screen information are stored in the server or in a relaying device of the institution for relaying data exchanges between the mobile communication terminal and the server which provides the service by contract. See column 4, lines 4-9 and figure 1 of Asikainen and column 4 of Zandi.

As per claim 7, the combined teaching of Asikainen, Laursen et al and Zandi is not explicitly directed to the contract being a credit card contract. Asikainen teaches that their system can perform various types of banking functions. Zandi teaches one type of banking function being a loan method and system. It would have been obvious to one of ordinary skill in the art to also include credit card application in the system of Asikainen, Laursen et al and Zandi in order to provide various types of banking services to remote users thus providing an attractive financial system to remote users wherein users can instantly obtain the status of their application.

As per claims 9-12, both Asikainen and Laursen et al disclose storing all information at the server of an institution for later transmission to the communication terminal. The information required for electronic-commerce transactions are not explicitly taught by Asikainen and Laursen et al. These functions of the information being stored at a server of the financial institution for later communication with a

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terminal of the system are taught by Zandi. See figures 2-3 and column 4, lines 49-67 of Zandi.

Determining approval or denial of a contract based on information required for contract that have been entered by the user is not explicitly taught by Asikainen and Laursen et al. These functions are taught by Zandi on column 4, line 63 to column 5, line 23 and column 8, line 44 to column 9, line 32 of Zandi.

The motivation to combine Zandi with the combination of Asikainen is the same as stated above and furthermore to avoid interfering with sensitive information.

As per claim 13, having the first to sixth steps being conducted without intercepting a call would have been obvious to one of ordinary skill in the art to do in the combined system of Asikainen, Laursen et al and Zandi with the motivation of performing a complete transaction with one access to the remote server.

As per claim 14, the combination of Asikainen, Laursen et al and Zandi does not explicitly state after conducting the first to third steps, a call is disconnected and wherein call is connected again at a later time so as to conduct the fourth to sixth steps. Zandi teaches that a user may again access the status of his/her loan. Furthermore, if a call is disconnected, the user being connected again at a later time so as to conduct the fourth to sixth steps would have been obvious to one of ordinary skill in the art to do when combining Asikainen, Laursen et al and Zandi in order to allow the final process of the requested loan.




**Conclusion**

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantzy Poinvil whose telephone number is (571) 272-6797. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sam Sough can be reached on (571) 272-6799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
**Frantzy Poinvil**  
**Primary Examiner**  
**Art Unit 3628**

FP  
February 18, 2006